

**Member Organizations**

*The Umbrella Center for  
Domestic Violence Services*  
Ansonia, CT

*The Center for Family Justice*  
Bridgeport, CT

*Women's Center*  
Danbury, CT

*Domestic Violence Program  
United Services*  
Dayville, CT

*Network Against Domestic  
Abuse*  
Enfield, CT

*Domestic Abuse Services  
Greenwich YWCA*  
Greenwich, CT

*Interval House*  
Hartford, CT

*Chrysalis Domestic Violence  
Services*  
Meriden, CT

*New Horizons*  
Middletown, CT

*Prudence Crandall Center*  
New Britain, CT

*The Umbrella Center for  
Domestic Violence Services*  
New Haven, CT

*Safe Futures*  
New London, CT

*Domestic Violence Crisis Center*  
Norwalk, CT

*Women's Support Services*  
Sharon, CT

*Domestic Violence Crisis Center*  
Stamford, CT

*Susan B. Anthony Project*  
Torrington, CT

*Safe Haven*  
Waterbury, CT

*Domestic Violence Program  
United Services*  
Willimantic, CT

**Testimony Regarding**

**SB 1018, AAC Prosecutorial Transparency**

**SB 1019, AAC the Board of Pardons and Paroles, Erasure of Criminal Records  
for Certain Misdemeanor and Felony Offenses, Prohibiting Discrimination  
Based on Erased Criminal History Record Information and Concerning  
the Recommendations of the Connecticut Sentencing Commission  
with Respect to Misdemeanor Sentences**

**Judiciary Committee  
March 10, 2021**

Good afternoon Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein, and members of the committee. CT Coalition Against Domestic Violence (CCADV) is the state's leading voice for victims of domestic violence and those who serve them. Our 18 member organizations provide essential services to nearly 40,000 victims of domestic violence each year. Services provided include 24-hour crisis response, emergency shelter, safety planning, counseling, support groups and court advocacy.

**SB 1018**

CCADV has some concerns about the prosecutorial transparency bill and questions as to whether the many aspects of prosecutor decision-making and performance appraisals will ultimately improve the provision of justice as envisioned. In 2019, we supported SB 880 (PA 19-59), which sought to increase fairness and transparency in the criminal justice system by requiring improved court and prosecutorial data collection related to cases and outcomes. This data, which only began being collected on January 1, 2021, is something we believe will be critical to informing improved policies and practices related to the state's response to domestic violence.

We certainly recognize that not only Connecticut, but our entire nation, is facing a much needed turning point in how many systems, not the least of which is the criminal justice system, treat people of color. This is true for survivors, many of whom may be arrested for crimes themselves or whose children and family simply face the long-term impacts of their abuser's conviction. However, removing all discretion that prosecutors have is not the answer to that problem. I'm certain that there are plenty of victims and victim advocates who have not agreed with the decision of the prosecutor in a case, but I am equally certain that there are plenty of victims and victim advocates who were grateful for the discretion shown by a prosecutor that resulted in the best possible protection for the victim and her/his children. It's also important to point out that prosecutors are not the only cog in this wheel.

The majority of this bill seems to be written to understand and prevent possible injustices against individuals accused of crimes. We ask that the Committee please keep in mind that crimes also involve victims. For family violence, this is an intensely personal crime that often results in long-lasting trauma for the victim. These cases truly are unique with some victims wanting their abuser prosecuted to the fullest extent of the law, others not wanting them prosecuted at all, and all of the gray in between. As we seek to prevent injustices against the accused, we also ask that the Committee seek to prevent injustices against victims.

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## **SB 1019**

We support this measure related to the erasure of criminal records as it provides a carve-out for family violence crimes. As we have noted throughout this debate over the past several years, we don't disagree that prohibiting discrimination based on criminal history can be beneficial, particularly for families that have experienced domestic violence. Families need equal access to employment and housing to be stable and safe. For a family that has experienced domestic violence and chooses to stay together or when there are children involved, if the abuser can't find employment or housing, the entire family is less safe. However, because this measure seeks to erase instead of seal records, we agree that there must be a carve-out of family violence crimes so as to ensure the ability of courts to refer individuals who re-offend to appropriate diversionary programs, as well as to ensure that convicted offenders do not legally have access to firearms.

For the approximately 10,000 domestic violence offenders annually supervised by the Judicial Branch Court Support Services Division, there are three diversionary programs offered – the Family Violence Education Program (FVEP), Explore, and Evolve. FVEP is a purely educational program that is available one time. Individuals who re-offend may then be referred to Explore or Evolve, which are evidence-based behavior modification programs for domestic violence offenders. If there was not a carve-out for family violence crimes included in the bill, we would be concerned that someone who had previously utilized FVEP, has their criminal record erased, and then re-offends, would be sent back to FVEP. Nobody, including the offender, the victim, nor potential future victims, are served if someone who re-offends is not sent to progressively intense programs designed to modify their behavior and help them make better choices.

In Connecticut, there is a prohibition against legal firearm possession for individuals convicted of a felony or some misdemeanors, including federal prohibitions for any misdemeanor involving the use, attempted use, or threat of force against a family or household member. If there was not a carve-out for family violence crimes included in this bill, we would be concerned that erasure could result in legal firearm possession by known domestic violence offenders. While we do not oppose policies that give domestic violence offenders a chance to secure stable housing and employment to support their family, we do not feel that they should have access to firearms, nor do they need any such access to achieve success following their conviction.

We thank the proponents of the bill for prioritizing the safety of domestic violence survivors.

Thank you for your consideration and please do not hesitate to contact me with questions.

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